

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 2:17-cr-11-KS-MTP

CLYDE JAMES GINN

FINAL ORDER OF FORFEITURE

Before this Court is the United States of America's Motion for a Final Order of Forfeiture. Dkt. No. 49. The Court entered an Agreed Preliminary Order of Forfeiture on July 26, 2017 (Dkt. No. 10), forfeiting

- (1) M-1025 HMMWV, SN: 033209;
- (2) M-1025 HMMWV, SN: 011458;
- (3) M-998 HMMWV, SN: 025074;
- (4) M-998 HMMWV, SN: 152207;
- (5) M-998 HMMWV, SN: 045534;
- (6) M-998 HMMWV, SN: 152150;
- (7) M-1025 HMMWV, SN: 010248;
- (8) M-998 HMMWV, SN: 101336;
- (9) M-998 HMMWV, SN: 041618;
- (10) M-932A1 Tractor Truck, SN: C532-00261;
- (11) M-931A2 Tractor Truck, SN: 31A / 0019;
- (12) M-1075, Pallet Loading System (PLS),
SN: 3VS062663;
- (13) M-936 5-Ton Wrecker, SN: C53600662;
- (14) M348 (AN/ASM – 189) Electric Shop Van, SN: 218B;
- (15) M270A1 Flatbed Trailer with a goose-neck hitch,
SN: 1K9E40236K1005659;

- (16) M-101 Cargo Trailer, SN: 069668; and
- (17) a Fifty Thousand dollar (\$50,000.00) money judgment

(the “**Subject Property**”) to the United States pursuant to 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c).

The United States of America published notice via the internet at www.forfeiture.gov including notice of this forfeiture and of the intent of the United States of America to dispose of the property in accordance with the law and as specified in the Preliminary Order. Dkt. No. 23.

The United States mailed direct notice to known potential claimants of their right to petition the Court thirty (30) days from either receipt of notice or the last day of publication for a hearing to adjudicate the validity of their alleged legal interest in the **Subject Property**. Dkt. No. 24. Only Michael Harris, on behalf of Fulcrum Consulting, Inc., and Sam Evans filed claims. Any other third-party claims are barred by failure of those parties to file a timely petition. The United States filed a Motion to Dismiss Harris’s and Evans’s claims. Dkt. 25.

Harris did not respond to the Court’s order to respond to the United

States' Motion to Dismiss, and thus, his third-party interest is barred by his failure to file a timely, legally sufficient petition. Evans did respond, and filed a new petition, but has now withdrawn it, citing the expense of litigation. Dkt. No. 47, 48. Given Evans's withdrawal, there are now no third-party interests to adjudicate.

Having reviewed the United States' motion, this Court finds that it is well taken and should be GRANTED. NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

1. The Defendant **Clyde James Ginn** had an interest in the **Subject Property** that is subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c).

2. Final forfeiture judgment against the **Subject Property** is hereby entered pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c).

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all right, title, and interest to the above-described **Subject Property** is hereby condemned, forfeited, and vested in the United States of America, and shall be disposed of according to law; and

IT IS FURTHER ORDERED that the United States District Court shall retain jurisdiction in the case for the purpose of enforcing this Order.

SO ORDERED, ADJUDGED, AND DECREED this 10th day of

May, 2018.

William Stanger
UNITED STATES DISTRICT JUDGE